

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF ILLINOIS, CHICAGO DIVISION**

**IN RE:**

KIMBERLEY MH BOLDEN

Debtor(s)

) Case No.: 16-30459  
)  
) Chapter: 13  
) Plan filed on 9/26/2016  
) Confirmation Hearing: 12/7/2016  
) Judge Jack B. Schmetterer

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**OBJECTION TO CONFIRMATION OF MODIFIED PLAN FILED ON 9/26/2016**

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NOW COMES WILMINGTON SAVINGS FUND SOCIETY, FSB, D/B/A CHRISTIANA TRUST, AS TRUSTEE FOR NORMANDY MORTGAGE LOAN TRUST, SERIES 2016-1, and/or its assigns (hereinafter "Movant"), by and through its attorneys, Marinosci Law Group, P.C., and moves this Honorable Court for an Order denying confirmation of Debtor's Modified Plan filed on 9/6/2016 and in support thereof states as follows:

1. Debtor filed a petition under Chapter 13 of Title 11, United States Bankruptcy Code on 9/26/2016 and this Court has jurisdiction pursuant to 28 U.S.C. §1334 and Internal Operating Procedure 15(a) of the United States District Court for the Northern District of Illinois.
2. Movant intends to file a claim secured by an interest in the real property commonly known as 1929 N HOWE ST, 1ST EAST, CHICAGO, IL 60614, and that the Chapter 13 Modified Plan herein proposes that Debtor cure the pre-petition arrearage claim through the Chapter 13 Trustee while maintaining current, post-petition mortgage payments.
3. That although Movant intends to file a proof of claim indicating an estimated pre-petition arrearage in the amount of \$98,568.50, the proposed plan provides for payment of only \$65,461.00 in contradiction of Movant's right under 11 U.S.C. §1322(b)(2) and/or §1322(b)(5).
4. That sufficient grounds exist for denial of confirmation of Debtor's Modified Plan:

- a. Fails to cure Movant's pre-petition arrearage claim amount in full;
- b. Movant has incurred attorney fees and/or costs in connection with this bankruptcy proceeding, including:

\$400.00 for Objection to confirmation of the Chapter 13 Plan including plan review and attending confirmation, if not separately billed

**WHEREFORE**, WILMINGTON SAVINGS FUND SOCIETY, FSB, D/B/A CHRISTIANA TRUST, AS TRUSTEE FOR NORMANDY MORTGAGE LOAN TRUST, SERIES 2016-1 prays this Court deny confirmation of the Modified Plan and for such other and further relief as this Court may deem just and proper.

Dated this 11/17/2016

Respectfully Submitted,  
Marinosci Law Group, P.C.

By: /s/ Roderic Fleming

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**CERTIFICATE OF SERVICE**

I hereby certify that on November 17, 2016, a copy of the foregoing Objection to Plan was filed electronically. Notice of this filing will be sent to the following parties through the Court's Electronic Case Filing System. Parties may access this filing through the Court's system.

David M Siegel  
o/b/o Debtor(s) Kimberly MH Bolden  
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Tom Vaughn  
Trustee  
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Patrick S. Layng  
U.S. Trustee  
USTPRRegion11.ES.ECF@usdoj.gov

I further certify that on November 17, 2016, a copy of the foregoing Objection to Plan was mailed by first-class U.S. Mail, postage prepaid and properly addressed to the following:

Kimberley MH Bolden  
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/s/ Roderic Fleming  
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